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6 *Attorneys for Defendant*

**FILED**  
DISTRICT COURT OF GUAM  
**MAR 14 2003**  
MARY L. M. MORAN  
CLERK OF COURT  
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**IN THE DISTRICT COURT OF GUAM**

KAIOH SUISAN CO., LTD.

Plaintiff,

vs.

GUAM YTK CORPORATION.,

Defendant.

CIVIL CASE NO. 02-00021

**DECLARATION OF  
TOM KAMIYAMA**

I, Tom Kamiyama, hereby declare as follows:

1. I am the President of Guam YTK Corporation who is the Defendant in this case and I am making this Declaration on personal knowledge.

2. I am not fluent in the English language and I do not read or write English.

3. This declaration has been read and explained to me in my native language of Japanese and, thus, I am comfortable executing this document.

4. It is true that we received One Hundred Million Yen (¥100,000,000.00) in two (2) separate payments in December, 2001. However, those payments were as described in the wire transfer documents, for the payment of fish and to execute the purposes of our fishing enterprise with the Plaintiff. (See Exhibit "A" attached).

5. The "Agreement" at issue was prepared by the management of Plaintiff and


1 one of their officers explained it to me after which an executive officer for the Plaintiff signed it  
2 and I signed it. The "Agreement" was not explained to me as a loan or as a debt of Defendant.

3 6. I have never made a payment on this transaction because it is not a loan.

4 7. Pursuant to our relationship with the Plaintiff, Defendant has shipped fish  
5 to Japan on numerous occasions over more that a twelve (12) month period.

6 I declare under penalty of perjury under the laws of the territory of Guam that the  
7 foregoing is true and correct.

8 Executed at Hagåtña, Guam this 14 day of March, 2003.

9  
10   
11 **TOM KAMIYAMA**

# **Exhibit A**

PLEASE FILL IN BLOCKED SPACE ONLY.

PLEASE MARK WITH O WHERE PAYMENT

DATE

12.12.01

SENDING DATE

12.12.01

外国に送金する場合は、送金に必要となる手数料を徴収します。  
 WE REQUEST YOU TO EXCLUDE FROM LINK IN ACCORDANCE WITH  
 THE TERMS AND CONDITIONS OF FOREIGN REMITTANCE TRANSACTIONS.

下記のとおり「内閣府の海外送金業務の振替を円滑にするための海外送金手続に関する法律」に基づき、送金に必要となる手数料を徴収します。

ジャパン・ロシア水産株式会社  
 代表取締役 湯浅俊策

11月17日-12月17日 杉野守

ご送金人様またはご送金先様 SIGNATURE OF APPLICANT

送金方法

1. 電信送金 TELEGRAPHIC TRANSFER  
 2. 郵便送金 MAIL TRANSFER  
 3. 送金小切手 REMITTANCE CHECK  
 4. 日本銀行の送金  
 5. 国内銀行の送金  
 6.

支払方法

1. 渡り金 ADVANCE AND PAY  
 2. 請求書 PAY ON APPLICATION

送金手数料

1. 送金手数料 PAYMENT COMM. FOR APPLICANT'S A/C  
 2. 受取人負担 PAYMENT COMM. FOR PAYEE'S A/C

送金金額

AMOUNT

JPY 50,000,000-

送金先

JAPAN RUSSIA MARINE PRODUCTS CO., LTD.

代り金

77-9655

送金先

APPLICANT (FULL NAME IN PRINT)

送金先

JAPAN RUSSIA MARINE PRODUCTS CO., LTD.

送金先

東京都中央区入船2丁目3番7号タカ7ビル3階

送金先

TEL. (日本標準時) 03-5548-0888

送金先

GUAM YTE CORPORATION

送金先

PAYEE (FULL NAME IN PRINT)

送金先

PAYEE'S ADDRESS

送金先

GUAM

送金先

U.S.A.

送金先

PAYEE'S ACCOUNT NO

送金先

71820663

送金先

PURPOSE OF PAYMENT (送金目的)

送金先

ADVANCE PAYMENT

送金先

TUNA

送金先

ON BEHALF OF KAIOH SUISEN CO., LTD.

送金先

UNION BANK OF CALIFORNIA

送金先

GUAM BRANCH

送金先

GUAM, U.S.A.

送金先

COUNTRY BY

送金先

COUNTRY BY

送金先

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送金先

COUNTRY BY

EXHIBIT

B

FROM JAPAN RUSIA

TO THE DAI-ICHI KANGYO BANK LTD.

(APPLICATION FOR REMITTANCE AND DECLARATION)

PLEASE FILL IN BLOCKED SPACE ONLY.  
PLEASE MARK WITH O WHERE PERTINENT

CIRCUIT DATE

12. 12. 27.

CIRCUIT SENDING DATE

12. 12. 27

PLEASE REQUEST YOU TO SPECIFY REMITTANCE IN ACCORDANCE WITH  
THE TERMS AND CONDITIONS OF FOREIGN REMITTANCE TRANSFERS下記の通り「内国法の適用を受ける」の国に送金する旨の  
通知書に添付する書類を「」に宛める旨を付記する。

ジャパン・ロシア水産株式会社

代表取締役 湯浅俊策

1010 10-1010 税所

ご本人署名に記名印 SIGNATURE OF APPLICANT

送金事項

- ☒ 1. 電信送金 TELEGRAPHIC TRANSFER
- ☐ 2. 普通送金 MAIL TRANSFER
- ☐ 3. 現金手配 REMITTANCE CHECK
- ☐ 4. 定期預金
- ☐ 5. 国内手配送金

支払方法

- ☒ 1. 通知金 ADVISE AND PAY
- ☐ 2. 支払金 PAY ON APPLICATION

支払銀行

- ☐ 1. 申請人自給 PAYMENT COMM FOR APPLICANT'S A/C
- ☒ 2. 受益人自給 PAYMENT COMM FOR PAYEE'S A/C

送金金額

AMOUNT

JPY 50,000,000-

分割明細

氏名

内用金

1729655

外付金

口座番号

Y00 ( )

ご本人署名 (フルネームで記入してください) APPLICANT (FULL NAME IN PRINT)

JAPAN RUSSIA MARINE PRODUCTS CO., LTD.

東京中央区入船2丁目3番7号7カフビル3階

TEL. (日本標準時間) 03-5548-0888

ご本人署名 APPLICANT'S REF NO

受益人署名 (フルネームで記入してください) PAYEE (FULL NAME IN PRINT)

GUAM YTK CORPORATION

受益人住所 PAYEE'S ADDRESS

GUAM

国名 (COUNTRY)

U.S.A.

受益人口座番号 PAYEE'S ACCOUNT NO

71820663

送金目的 PURPOSE OF REMITTANCE

送金品名 (CURRENCY)

TUNA

送金メッセージ MESSAGE FROM PAYEE

ON BEHALF OF KAIOH SUISAN CO., LTD.

支払銀行 PAYING BANK (受益人送金を受ける銀行・支店名・住所を記入してください)

UNION BANK OF CALIFORNIA  
GUAM BRANCH  
GUAM, U.S.A.送金手数料 (FEE FOR REMITTANCE)  
の記入してください。

送金国 COUNTRY OF REMITTANCE

銀行コード

国名

銀行コード

銀行コード

送金手数料

EXHIBIT

C

仕向先銀行

説明 (カバ-英語) 銀行

説明 (カバ-英語) 銀行

送金銀行と送金事項

送金銀行と送金事項

送金時間 (R.O.C. 1710 / 9時55分まで)

100千円以内 (送金) 以上  
送金時間と送金方法

送金時間 (送金) 送金方法

送金時間 (送金) 送金方法

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